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Attorneys for Defendants
PASSES, INC. and LUCY GUO

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

FAMOUS BIRTHDAYS, LLC, a
California limited liability company,

Plaintiff,

v.

PASSES, INC., a Delaware
corporation; and LUCY GUO, an
individual,

Defendants.

Case No. 2:24-cv-08364-CBM-SSC

**APPLICATION FOR AN ORDER
PERMITTING DEFENDANT
PASSES, INC. TO FILE UNDER
SEAL PORTION OF JAKOBSSON
DECLARATION IN SUPPORT OF
DEFENDANT'S OPPOSITION TO
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: December 3, 2024

Time: 10:00 a.m.

Ctrm.: 8-D

Judge: Hon. Consuelo B. Marshall

Action Filed: September 27, 2024

1 Defendant Passes, Inc. (“Passes”) by and through undersigned counsel and
2 pursuant to Central District Local Rule 79-5.2.2(a), hereby files this Application for
3 an Order Permitting Defendant Passes, Inc. to File Under Seal a Portion of the
4 Declaration of Markus Jakobsson, Ph.D. in Support Defendant’s Opposition to
5 Plaintiff’s Motion for a Preliminary Injunction (the “Application”).

6 Passes seeks leave to file under seal the below-identified portions of Paragraph
7 33 of the Declaration of Markus Jakobsson, Ph.D. in Support of Opposition to
8 Plaintiff’s Motion for Preliminary Injunction (the “Jakobsson Declaration”).

9 This Application is accompanied by the Declaration of Megan Bettles in
10 Support of the Application (“Bettles Sealing Declaration”), a proposed order, and an
11 unredacted version of the Jakobsson Declaration.

12 Passes takes no position on the propriety nature of the information reflected in
13 Paragraph 33 of the Jakobsson Declaration at 8:28 to 9:2. Bettles Sealing Decl., ¶ 3.
14 The information in Paragraph 33 of the Jakobsson Declaration that Passes seeks to
15 seal quotes Exhibits B and D to the Declaration of Kevin Ostrowski in Support of
16 Motion for an Order Issuing a Preliminary Injunction (Dkt. 10-1, the “Ostrowski
17 Declaration”) (collectively, the “Information”). *Id.*

18 This Application is made because Famous Birthdays filed an Application for
19 Leave to File Under Seal Exhibits to Kevin Ostrowski’s Declaration in Support of
20 Motion for an Order Issuing a Preliminary Injunction (Dkt. 9, “Famous Birthdays’
21 Sealing Application”), which sought to seal Exhibits B, C, and D to the Ostrowski
22 Declaration in their entirety, and the Information in quoted from Exhibits B and D of
23 the Ostrowski Declaration. *Id.* Counsel for Famous Birthdays confirmed that Famous
24 Birthdays contends that Information is confidential for the reasons set forth in
25 Famous Birthdays’ Sealing Application. Bettles Sealing Decl., ¶ 4.

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3 Dated: November 12, 2024

Respectfully submitted,

4 By: /s/ Megan Bettles

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7 **GOODWIN PROCTER LLP**

8 Attorneys for Defendants

9 PASSES, INC. and LUCY GUO

PROOF OF SERVICE

I am employed in the county of San Francisco. I am over the age of 18 and not a party to the within action. My business address is: 601 South Figueroa Street, 41ST Floor, Los Angeles, California 90017.

On **November 12, 2024**, I served the following documents as follows:

1. APPLICATION FOR AN ORDER PERMITTING DEFENDANT PASSES, INC. TO FILE UNDER SEAL PORTION OF JAKOBSSON DECLARATION IN SUPPORT OF DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

2. [REDACTED] DECLARATION OF MARKUS JAKOBSSON, PH.D. IN SUPPORT OF OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

3. [PROPOSED] ORDER GRANTING APPLICATION FOR AN ORDER PERMITTING DEFENDANTS TO FILE UNDER SEAL PORTION OF JAKOBSSON DECLARATION IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Christopher D. Beatty (SBN 266466)
Murad Salim (SBN 342747)
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X (E-MAIL or ELECTRONIC TRANSMISSION). By electronic service on November 12, 2024. My electronic service address is *KTien@goodwinlaw.com*. Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person(s) at the electronic service address(es) listed above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **November 12, 2024**, at Los Angeles, California.

Kane Tien
(Type or print name)


(Signature)